

FILED

JUL 24 2018

CITY CLERK

**RESOLUTION NO. 11, 2018**

A RESOLUTION TO RESCIND THE TEN (10)-YEAR PERSONAL PROPERTY TAX ABATEMENT FOR SONY DIGITAL AUDIO DISC CORPORATION.

WHEREAS, by Resolution No. 6, 2007, the Common Council for the City of Terre Haute, Indiana, confirmed on May 10, 2007, a ten (10) year personal property tax abatement for Petitioner. Resolution No. 6, 2007, is attached hereto as Exhibit A; and

WHEREAS, by Resolution No. 3, 2008, the Common Council for the City of Terre Haute, Indiana, confirmed on April 10, 2008, a ten (10) year personal property tax abatement for Petitioner. Resolution No. 3, 2008 is attached hereto as Exhibit B; and

WHEREAS, by Resolution No. 4, 2008, the Common Council for the City of Terre Haute, Indiana, confirmed on April 10, 2008, a ten (10) year real property tax abatement for Petitioner. Resolution No. 4, 2008 is attached hereto as Exhibit C; and

WHEREAS, by Resolution No. 7, 2009, the Common Council for the City of Terre Haute, Indiana, confirmed on April 7, 2009, a ten (10) year real property tax abatement for Petitioner. Resolution No. 7, 2009, is attached hereto as Exhibit D; and

WHEREAS, by Resolution No. 8, 2009, the Common Council for the City of Terre Haute, Indiana, confirmed on March 7, 2009, a ten (10) year personal property tax abatement for Petitioner. Resolution No. 8, 2009, is attached hereto as Exhibit E; and

WHEREAS, by Resolution No. 12, 2010, the Common Council for the City of Terre Haute, Indiana, confirmed on May 13, 2010, a ten (10) year real property tax abatement for Petitioner. Resolution No. 12, 2010, is attached hereto as Exhibit F; and

WHEREAS, by Resolution No. 13, 2010, the Common Council for the City of Terre Haute, Indiana, confirmed on May 13, 2010, a ten (10) year personal property tax abatement for Petitioner. Resolution No. 13, 2010, is attached hereto as Exhibit G; and

WHEREAS, by Resolution No. 6, 2011, the Common Council for the City of Terre Haute, Indiana, confirmed on June 9, 2011, a ten (10) year personal property tax abatement for Petitioner. Resolution No. 6, 2011 is attached hereto as Exhibit H; and

WHEREAS, by written notice dated February 16, 2018, Petitioner was provided with courtesy notifications that the Common Council Finance Committee would be reviewing the compliance of previously granted tax abatements and advised Petitioner to review the status of its tax abatements and to ensure submission of appropriate compliance forms. A copy of said notices are attached hereto as Exhibit I; and

WHEREAS, at a special meeting of the Common Council held on June 12, 2018, to review compliance of approved tax abatements, it was determined that Petitioner was not in substantial compliance with the Statement of Benefits for failure to submit to the Common Council a Form CF-1/PP (Compliance with Statement of Benefits – Personal Property); and

WHEREAS, pursuant to I.C. § 6-1.1-12.1-5.9, by written notices dated June 20, 2018, Terre Haute City Clerk notified Petitioner that a determination had been made that Petitioner was not in substantial compliance with the Statement of Benefits. Such notice stated the reason for the determination of non-compliance and the date, time, and place for a hearing. Such notices are attached hereto as Exhibit J; and

WHEREAS, at the public hearing held on July 12, 2018, the Common Council determined that Petitioner had not made a reasonable effort to comply with the Statement of Benefits and therefore such tax deductions should be terminated.

THEREFORE, BE IT RESOLVED by the Common Council for the City of Terre Haute, Indiana, that tax deductions authorized for Petitioner provided in Resolution No. 6, 2007, Resolution No. 3, 2008, Resolution No. 4, 2008, Resolution No. 7, 2009, Resolution No. 8, 2009, Resolution No. 12, 2010, Resolution No. 13, 2010, and Resolution No. 6, 2011, are hereby terminated.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to provide a copy of this Resolution No. 11, 2018 to the Petitioner, Vigo County Auditor, and the appropriate township assessor.

BE IT FURTHER RESOLVED, that the Common Council requests that the County Auditor follow the provisions set forth at I.C. §6-1.1-12.1-5.9(d).

Introduced by: K. Nasser Karrum Nasser, Councilman

Passed in open Council this 9 day of August, 2018.

Curtis DeBaun IV Curtis DeBaun IV, President

ATTEST: Michelle L. Edwards Michelle L. Edwards, City Clerk

Presented by me to the Mayor this 13 day of August, 2018.

Michelle L. Edwards Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 13<sup>th</sup> day of August, 2018.

Duke A. Bennett Duke A. Bennett, Mayor

ATTEST: Michelle L. Edwards Michelle L. Edwards, City Clerk